

UNITED STATES BANKRUPTCY COURT
FOR WESTERN DISTRICT OF MICHIGAN

IN RE: **HOLLY ANNETTE LARSEN**
3522 MARINE SW
GRANDVILLE, MI 49418

Chapter: **13**
Case No.: **SG-02-07474**
Date Filed : **7/02/2002**
Honorable: JoAnn C. Stevenson

TRUSTEE'S MOTION TO DISMISS THE CHAPTER 13 PROCEEDINGS AND NOTICE OF
MOTION PURSUANT TO 11 U.S.C. 1307(c)

The Chapter 13 Trustee Brett N. Rodgers, hereby moves this Court to dismiss or convert to Chapter 7 the above captioned Chapter 13 case for the following reasons pursuant to U.S.C. 1307(c):

- (1)___unreasonable delay by the debtor that is prejudicial to creditors;
- (4)___failure to commence making timely payments under section 1326 of this title;
- (5)___denial of confirmation of a plan under section 1325.
- (6)X material default by the debtor with respect to a term of confirmed plan
 - X Plan payment arrears \$1,819.98, Date of last payment 10/06/2004 ;
 - ___Plan exceeds 60 months
 - X Other: Debtor is not paying as scheduled. Since case was put on probation on 4-26-2004 the arrears have increased by \$909.99.

____Need Payroll Order

NOTICE OF MOTION

Take notice that if a timely response is filed the within motion will be heard before the Honorable JoAnn C. Stevenson on **March 1, 2005 at 09:00 A.M. This hearing will be held at the U S Bankruptcy Court Room 740, 110 Michigan St, N.W., , Grand Rapids, MI.**

If you wish to oppose the Motion you must file a written response with the Bankruptcy Court and serve a copy upon the Chapter 13 Trustee at 300 Ottawa NW, Suite 210, Grand Rapids MI 49503 within 30 days of the date on which the Trustee served this Motion to Dismiss. The response filed must comply with Local Bankruptcy Rule 9013(d) and must state with particularity the reasons why the Trustee's Motion should not be granted. If a timely response is not filed, the Chapter 13 Trustee may at any time after the expiration of the 30 day period, file with the Court a certificate stating that no timely response or request for hearing has been filed together with a proposed Order to Dismiss or a proposed Order to Convert to Chapter 7. Upon receipt of said certificate the Court may enter the Order Dismissing the case or the Order of Conversion to Chapter 7 and cancel the scheduled hearing date as moot.

Dated: December 16, 2004

/s/ Brett N. Rodgers
Brett N. Rodgers
Chapter 13 Trustee